

Remarks

Claims 1 through 19 remain pending in the application.

The Office Action objects to claims 1, 4, 12 and 17 because of various informalities. Appropriate correction is made.

The Office Action rejects claims 7, 8 and 14 through 16 under 35 U.S.C., 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Appropriate correction is made.

The Office Action rejects claims 1 through 19 as anticipated by Becker, et al., Data Carrier Having an Optical Authenticity Feature and Methods for Producing and Testing Said Data Carrier, U.S. Patent 4,765,656 (Aug. 23, 1988) under the assertion that Becker discloses a data carrier into which, by a laser beam, identifiers are introduced in the form of patterns, letters, numbers or images that are visible due to local changes in the optical properties of the data carrier, effected by the laser beam and resulting from material transformations. The Office Action further asserts that the data carrier is characterized in that the data carrier has a laser-sensitive recording layer that is transparent in the visible spectral range and that it is provided with a surface relief in the form of a lens grid, such that the identifiers are introduced with the laser beam from different directions through the lens grid into the recording layer and are perceptible when viewed from those same directions, and in that the data carrier is transparent at least in the area of the introduced identifiers. The Office Action also asserts that the data carrier is

characterized in that the changes in the optical properties of the data carrier are visible in transmitted light; the changes in the optical properties of the data carrier are visible in reflected light; the lens grid has cylindrical lenses or spherical lenses; the recording layer is formed by a non-self-supporting layer of thickness of about 1 micrometers to about 800 micrometers; the recording layer is disposed in the interior for the data carrier; the identifiers contain personal data, including a signature, a birth date, or a portrait; the identifiers contain data relating to the data carrier, including a validity period, a card number, or the information about the issuing authority or institute; the identifiers are present in screened form, the grid elements formed by rod-shaped pixels; the identifiers that are perceptible from different directions are nested within each other in the recording layer; the data carrier exhibits an at least partially transparent body in or on which the recording layer and the lens grid are disposed; the data carrier exhibits, in addition to the identifiers, black-and-white or colored impressions or further laser inscriptions; the data carrier is provided with one or more further security features, especially with luminescent, magnetic or electrical substances, or with optically variable structures, such as holographic structures; the data carrier constitutes a value document, including a banknote or an identification card; and a valued document, such as a banknote, identification card of the like, having a value document substrate having a window area that is covered on one side or on both sides with a security element.

The cited reference does not disclose all limitations of the claims. With regard to independent claim 1, Becker does not

disclose that the data carrier is transparent, at least in the area of the introduced identifiers as claimed by the applicant. Becker discloses an opaque core layer having an optional transparent laser-sensitive recording layer and a transparent cover film. Specifically, in column 6, ll. 25-31, Becker discloses that a cover film 7 and a laser sensitive recording layer 16 are provided on a core layer 6. Becker further discloses in column 9, ll. 24-25, that the core layer is preferably a colored synthetic layer or paper layer. A colored synthetic or paper layer is not transparent as claimed by applicant but is instead opaque. Instead, Applicant's claimed invention requires that the data carrier is transparent at least in the area of the introduced identifiers. Therefore, the imprinted or laser-marked paper or colored synthetic layers disclosed in Becker do not disclose the data carrier is transparent at least in the area of the introduced identifiers as claimed by applicant. Therefore, because at least one claimed limitation is missing Becker does not anticipate claim 1.

Claims 2 through 16 depend from amended independent claim 1 and as discussed above, the rejections with respect to Becker are overcome and therefore claims 2 through 16 should also be allowed for the same reasons.

With regard to claim 17, Becker does not disclose that data carrier has a transparent area. As discussed above, Becker discloses an opaque core layer having an optional transparent laser-sensitive recording layer and a transparent cover film. Becker further discloses in column 9, ll. 24-25, that the core layer is preferably a colored synthetic layer or paper layer. A colored synthetic or paper layer is not transparent as claimed

by applicant but is instead opaque. Instead, Applicant's claimed invention requires securing a laser sensitive recording layer being transparent in the visible spectral range. Therefore, the imprinted or laser-marked paper or colored synthetic layers disclosed in Becker do not disclose the data carrier has a laser sensitive recording layer that is transparent. Therefore, because at least one claimed limitation is missing Becker does not anticipate claim 17.

Claims 18 and 19 depend from amended independent claim 17 and as discussed above, the rejections with respect to Becker are overcome and therefore claims 18 and 19 should also be allowed for the same reasons.

Conclusion

This response has addressed all of the Examiner's grounds for rejection. The rejections based on prior art have been traversed. Reconsideration of the rejections and allowance of the claims is requested.

Date: December 11, 2009

By: /Niky Economy Syrengleas/
Niky Economy Syrengelas, Esq.

Reg. No. 46680